

National Oceanic and Atmospheric Administration Act
H.R.5450
Section by Section Analysis
September 19, 2006

Section 1. Short Title.

“National Oceanic and Atmospheric Administration Act”

Section 2. Definitions.

Defines terms used in the Act.

Section 3. National Oceanic and Atmospheric Administration.

Establishes the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce and describes the mission and functions of NOAA.

Section 4. Administration Leadership.

Describes the leadership structure of NOAA, including a new position of a Deputy Assistant Secretary for Science and Education, who shall be responsible for coordinating and managing all research activities across the agency, and which must be a career position. Also, this section designates the Deputy Undersecretary for Oceans and Atmosphere as the Chief Operating Officer of the Administration, responsible for the day-to-day aspects of the Administration’s operations and management.

Section 5. National Weather Service.

Directs the Secretary of Commerce to maintain the National Weather Service within NOAA.

Section 6. Operations and Services.

Directs the Secretary to maintain programs within NOAA to support operational and service functions. This section does not name any organizational units of NOAA, but the functions listed include all the activities of NOAA’s National Environmental Satellite Data and Information Service (NESDIS) and the mapping and charting activities of the National Ocean Service.

Section 7. Research and Education.

Directs the Secretary to maintain programs within NOAA to conduct and support research and education functions.

Section 8. Science Advisory Board.

Establishes a Science Advisory Board for NOAA, which would provide scientific advice to the Administrator and to Congress on issues affecting NOAA.

Section 9. Reports.

Requires two reports from the Administrator. Each report is to be delivered to Congress within 18 months of the date of enactment of the Act. One report, by the National Academy of Sciences, should assess the adequacy of the environmental data and

information systems of NOAA and provide a strategic plan to address any deficiencies in those systems. The other report is strategic plan for research at NOAA.

Section 10. Public-Private Partnerships.

Requires NOAA to review its policy on public-private partnerships once every five years. Clarifies the no changes in NOAA's current policy are required.

Section 11. Effect of Reorganization Plan.

Repeals the Executive Order that established NOAA in 1970.

Section 12. Savings Provision.

Clarifies that the Act does not change the legal status of any NOAA rule, regulation or other legal matter.

Section 13. Reorganization Plan.

Requires NOAA to submit a reorganization plan to Congress not less than 18 months after enactment of this Act.

Section 14. Facility Evaluation Process.

Provides that NOAA cannot expend funds to close or transfer certain facilities without a public comment period, review by the Science Advisory Board (if appropriate), analysis of anticipated costs and savings and impact on NOAA services, and notification to Congress.

Section 15. Budget Reprogramming.

Requires NOAA to submit to the Science Committee a copy of any reprogramming requests submitted to Appropriations Committees.

Section 16. Baselines and Cost Controls.

Establishes conditions for development of major program cost baselines and requires notification to Congress when certain cost increases or schedule delays occur in major programs.

Section 17. Limitations on Off-Shore Performance of Contracts for the Procurement of Goods and Services.

Prohibits the Administrator from contracting for Administration activities or procurement of goods or services that are performed outside the United States except when the goods or services are necessary for national security or are only available outside the United States, when the activities or function under the contract was previously performed by federal government employees located outside the United States, or when the prohibition is inconsistent with international agreements.

Section 18. Recordkeeping and Reporting Requirement

Requires an annual report on contracts and subcontracts performed overseas.